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Defendant SHAKEY'S PIZZA ASIA
VENTURES, INC. and Third Party Defendants
CINCO CORPORATION, PC INTERNATIONAL
PTE LTD., and SPAVI INTERNATIONAL USA,
INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SHAKEY'S PIZZA ASIA VENTURES,
INC, a Philippines corporation,

Plaintiff,

v.

PCJV USA, LLC, a Delaware limited
liability company; PCI TRADING, LLC, a
Delaware limited liability company; GUY
KOREN, an individual; POTATO
CORNER LA GROUP, LLC, a California
limited liability company; NKM CAPITAL
GROUP, LLC, a California limited liability
company; J & K AMERICANA, LLC, a
California limited liability company; J&K
LAKEWOOD, LLC, a California limited
liability company; J&K VALLEY FAIR,
LLC, a California limited liability
company; J & K ONTARIO, LLC, a
California limited liability company; HLK
MILPITAS, LLC, a California, limited
liability company; GK CERRITOS, LLC, a
California, limited liability company; J&K
PC TRUCKS, LLC, a California limited
liability company; and, GK CAPITAL
GROUP, LLC, a California limited liability
company and DOES 1 through 100,
inclusive,

Case No. 2:24-CV-04546-SB(AGRx)

The Hon. Stanley Blumenfeld, Jr.

**PLAINTIFF'S NOTICE OF
DISMISSAL OF CLAIMS,
AFFIRMATIVE DEFENSES, AND
DEFENDANTS**

Complaint Filed: May 31, 2024

Pre-trial Conference: January 9, 2026
Time: 8:30 a.m.
Place: Courtroom 6C

Trial Date: January 20, 2026
Time: 8:30 a.m.
Place: Courtroom 6C

Defendants.

PCJV USA, LLC, a Delaware limited liability company; PCI TRADING LLC, a Delaware limited liability company; POTATO CORNER LA GROUP LLC, a California limited liability company; GK CAPITAL GROUP, LLC, a California limited liability company; NKM CAPITAL GROUP LLC, a California limited liability company; and GUY KOREN, an individual,

Counter-Claimants,

v.

SHAKEY'S PIZZA ASIA VENTURES, INC, a Philippines corporation,

Counter Defendant.

PCJV USA, LLC, a Delaware limited liability company; PCI TRADING LLC, a Delaware limited liability company; POTATO CORNER LA GROUP LLC, a California limited liability company; GK CAPITAL GROUP, LLC, a California limited liability company; NKM CAPITAL GROUP LLC, a California limited liability company; and GUY KOREN, an individual,

Third Party Plaintiffs,

v.

PC INTERNATIONAL PTE LTD., a Singapore business entity; SPAVI INTERNATIONAL USA, INC., a California corporation; CINCO CORPORATION, a Philippines corporation; and DOES 1 through 10, inclusive,

Third Party Defendants.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT, pursuant to the Court’s Order re Trial Date and Filing Deadlines (dkt. 336) and the parties’ Joint Report on Settlement Status in Response to December 3, 2025 Court Order (dkt. 333), Plaintiff and Counterclaim Defendant Shakey’s Pizza Asia Ventures, Inc. (“Plaintiff” or “SPAVI”) hereby dismisses without prejudice the following causes of action as set forth in Plaintiff’s First Amended Complaint (dkt. 065):

- The Second Cause of Action for Trademark Infringement (15 U.S.C. § 1125(a));
- The Third Cause of Action for False Designation of Origin and Description of Fact (15 U.S.C. § 1125(a));
- The Fourth Cause of Action for Contributory Trademark Infringement (15 U.S.C. § 1114);
- The Fifth Cause of Action for Contributory Trademark Infringement and False Designation of Origin and Description of Fact (15 U.S.C. § 1125(a));
- The Seventh Cause of Action for Unfair Competition (California Business and Professions Code § 17200, *et seq.*);
- The Eighth Cause of Action for Declaratory Relief;
- The Ninth Cause of Action for Quantum Meruit;
- The Eleventh Cause of Action for Breach of Confidence.

For the avoidance of doubt, Plaintiff’s remaining causes of action are as follows:

- The First Cause of Action for Trademark Infringement (15 U.S.C. § 1114);
- and
- The Sixth Cause of Action for Common Law Trademark Infringement.¹

¹ Plaintiff’s Tenth Cause of Action for Misappropriation of Trade Secrets was dismissed without prejudice by the Court upon Plaintiff’s request for the same. Dkt. 300. The Court subsequently affirmed its order of dismissal without prejudice of Plaintiff’s Tenth Cause of Action for Misappropriation of Trade Secrets. Dkt. 308 at 4-5.

1 **PLEASE TAKE FURTHER NOTICE THAT** Plaintiff hereby dismisses without
2 prejudice the following affirmative defenses as set forth in Plaintiff's Answer and
3 Affirmative Defenses to Defendants' Counterclaim / Third-Party Complaint (dkt. 129):

- 4 • The First Affirmative Defense for Uncertainty of the Pleading;
- 5 • The Second Affirmative Defense for Misjoinder of Parties;
- 6 • The Third Affirmative Defense for Nonjoinder of Parties;
- 7 • The Fourth Affirmative Defense for Election of Remedies;
- 8 • The Fifth Affirmative Defense for Laches;
- 9 • The Sixth Affirmative Defense for Consent;
- 10 • The Seventh Affirmative Defense for Estoppel;
- 11 • The Eighth Affirmative Defense for One Who Seeks Equity Must do Equity;
- 12 • The Tenth Affirmative Defense for Immunity;
- 13 • The Eleventh Affirmative Defense for Privilege;
- 14 • The Thirteenth Affirmative Defense for Waiver;
- 15 • The Fourteenth Affirmative Defense for Comparative Fault;
- 16 • The Fifteenth Affirmative Defense for Lack or Inadequacy of Consideration;
- 17 • The Sixteenth Affirmative Defense for Abandonment or Mutual Recission of
- 18 Contract;
- 19 • The Seventeenth Affirmative Defense for Accord and Satisfaction;
- 20 • The Eighteenth Affirmative Defense for Novation; and
- 21 • The Nineteenth Affirmative Defense for Modification of Contract.

22 For the avoidance of doubt, Plaintiff's remaining affirmative defenses are as follows:

- 23 • Unclean Hands;
- 24 • Failure to Mitigate; and
- 25 • Justification.

26 **PLEASE TAKE FURTHER NOTICE THAT** Plaintiff hereby dismisses without
27 prejudice the following Defendants from the First Amended Complaint (dkt. 065):

- 28 • Guy Koren;

- PCI Trading, LLC; and
- Potato Corner LA Group, LLC.

For the avoidance of doubt, the remaining Defendants are as follows:

- PCJV USA, LLC;
- NKM Capital Group, LLC;
- J&K Americana, LLC;
- J&K Lakewood, LLC;
- J&K Valley Fair, LLC;
- J&K Ontario, LLC;
- HLK Milpitas, LLC;
- GK Cerritos, LLC;
- J&K PC Trucks, LLC; and
- GK Capital Group, LLC.

Dated: December 9, 2025

FOX ROTHSCHILD LLP

/s/ John Shaeffer

John Shaeffer
Matthew Follett
Meeghan H. Tirtasaputra
Attorneys for Plaintiff and Counterclaim
Defendant SHAKEY'S PIZZA ASIA
VENTURES, INC. and Third Party
Defendants CINCO CORPORATION, PC
INTERNATIONAL PTE LTD., and
SPAVI INTERNATIONAL USA, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that, on December 9, 2025, the foregoing document was electronically filed with the Clerk of the Court for the United States District Court, Central District of California, using the Court's ECF filing system. I further certify that all counsel for all parties to this action are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: December 9, 2025

FOX ROTHSCHILD LLP

/s/ John Shaeffer

John Shaeffer
Attorneys for Plaintiff and Counterclaim
Defendant SHAKEY'S PIZZA ASIA
VENTURES, INC. and Third Party
Defendants CINCO CORPORATION, PC
INTERNATIONAL PTE LTD., and
SPAVI INTERNATIONAL USA, INC.